

JOHN PAUL TURNER,
a/k/a "Pops,"

V.

Defendant.

By: Hon. Michael F. Urbanski
United States District Judge

Case 5:13-cv-00093-MFU Document 46 Filed 08/11/14 Page 1 of 2 Pageid#: 697

Turner's motion is totally void of merit. He argues that his pre-filing injunction "should be universally rendered nil" because the social security administration is reconsidering his disability claim. Pro Se Mot. to Recons., Dkt. No. 45, at 1. Whether Turner is disabled under the Social Security Act has absolutely no relevance in any sense whatsoever as to the appropriateness of continuing his pre-filing injunction. Indeed, his conduct during the course of this litigation makes abundantly clear that the pre-filing injunction should remain in effect.

In short, Turner has succeeded in getting the Commissioner to review the denial of his disability claim. He may not, however, use this extremely limited piece of litigation to pursue other claims against other defendants. To bring other claims he must either (1) pay the applicable filing fees or (2) provide a statement of good cause as to why he should be permitted to proceed in forma pauperis. See In re Turner, 7:97mc00048 (W.D. Va. filed Sept. 8, 1997) (Dkt. No. 2) (so ordering).

Turner's motion will accordingly be denied.

The Clerk is directed to send a certified copy of this Order to the pro se plaintiffs and to all counsel of record.

Entered: August 11, 2014

/s/ Michael F. Urbanski

Michael F. Urbanski
United States District Judge

a motion under Rule 59(e), however it may be formally styled." Dove v. CODESCO, 569 F.2d 807, 809 (4th Cir. 1978) (citation omitted); see also MLC Automotive, LLC v. Town of Southern Pines, 532 F.3d 269, 277-78 (4th Cir. 2008) (noting that CODESCO continues to apply notwithstanding the amendment to Federal Rule of Appellate Procedure 4). As such, because Turner filed his motion within twenty-eight days of the court's entry of the Order remanding the case, the court will construe it as a Rule 59(e) motion.